



Title V Operating Permit

Permit No: **TV-OP-014**
Date Issued: **March 17, 1999**

This certifies that:
Tillotson Healthcare Corporation
20 Spaulding Avenue
Rochester, NH

has been granted a Title V Operating Permit for the following facility and location:
Tillotson Healthcare Corporation
20 Spaulding Avenue
Rochester, NH
AFS Point Source Number - 3301700013

This Title V Operating Permit is hereby issued under the terms and conditions specified in the Title V Operating Permit Application filed with the New Hampshire Department of Environmental Services on **June 28, 1996** under the signature of the following responsible official certifying to the best of their knowledge that the statements and information therein are true, accurate and complete.

Responsible Official:

John Harrington
General Manager
(603)-335-0400

Technical Contact:

Richard Hall
Plant Manager
(603)-335-0400

This Permit is issued by the New Hampshire Department of Environmental Services, Air Resources Division pursuant to its authority under New Hampshire RSA 125-C and in accordance with the provisions of Code of the Federal Regulations 40 Part 70.

This Title V Operating Permit shall expire on **March 31, 2004**

SEE ATTACHED SHEETS FOR ADDITIONAL PERMIT CONDITIONS

For the New Hampshire Department of Environmental Services, Air Resource Division

Director, Air Resources Division

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Facility Specific Title V Operating Permit Conditions

I. Facility Description of Operations:

Tillotson Healthcare Corporation manufactures rubber products in Rochester, New Hampshire. The primary source of air pollutant emissions at the facility are generated from fuel-burning devices which produce criteria pollutant emissions, and from coating and dipping operations which produce Volatile Organic Compounds (VOC) and Hazardous Air Pollutant (HAP) emissions.

II. Permitted Activities:

In accordance with all of the applicable requirements identified in this permit, the Permittee is authorized to operate the devices and or processes identified in Sections III, IV, V and VI within the terms and conditions specified in this Permit.

III. Significant Activities Identification:

- A. The activities identified in the following table (Table 1) are subject to and regulated by this Title V Operating Permit:

Table 1 - Significant Activity Identification					
Emission Unit Number (EU#)	Description of Emission Unit	Fuel Type and Limitation	Maximum Daily and Annual Fuel Consumption Rate Limitation	Exhaust Stack Identification	Emissions Unit Maximum Design Capacity
EU1	Boiler #1, Nebraska Boiler, model series # NSC53.	#6 fuel oil at no more than 1.5% sulfur content by weight	7,200 gallons/24 hr #6 fuel oil and; 2,420,000 gallons #6 fuel oil during any consecutive 12 month period.*	Stack #1	48.6 mmBtu/hr
EU2	Ammonia emissions from rubber products manufacturing.	Not Applicable	Not Applicable	Stacks # 4-7, 9-12, 15-22, & 33-38	16.63 tons/yr ¹ and 3.8 lbs/hr averaged over a 24 hour period.
EU3	VOC Emissions from rubber products manufacturing.	Not Applicable	Not Applicable	Stacks # 4-12, 9-12, 15-22, & 33-38	5.28 tons/yr ²

- * These daily and annual fuel limitations are necessary in order to comply with the 24 hour and annual National Ambient Air Quality Standards for sulfur dioxide.

¹ Based on potential to emit calculations submitted by Tillotson Healthcare to DES on June 28,1996.

² Based on potential to emit calculations submitted by Tillotson Healthcare to DES on June 28,1996.

Stack Criteria:

- B.** The following stacks for the above listed significant devices at this facility shall discharge vertically without obstruction (including rain caps) and meet the following criteria in accordance with the state-only modeling requirements specified in Env-A 1300 and Env-A 1400:

Table 2 - Stack Criteria			
Stack #	Emission Unit #	Minimum Stack Height (Feet) Above Ground Level	Maximum Stack Diameter or Dimensions (inches)
Stack #1	EU1	40.0	48
Stack #4	EU2 and EU3	49.75	30
Stack #5	EU2 and EU3	49.75	30
Stack #6	EU2 and EU3	49.75	30
Stack #7	EU2 and EU3	49.75	30
Stack #9	EU2 and EU3	49.75	30
Stack #10	EU2 and EU3	49.75	30
Stack #11	EU2 and EU3	49.75	30
Stack #12	EU2 and EU3	49.7	30
Stack #15	EU2 and EU3	55.5	25x29
Stack #16	EU2 and EU3	55.5	25x29
Stack #17	EU2 and EU3	55.5	25x29
Stack #18	EU2 and EU3	55.5	25x29
Stack #19	EU2 and EU3	54	40x24
Stack #20	EU2 and EU3	54	40x24
Stack #21	EU2 and EU3	54	25x29
Stack #22	EU2 and EU3	54	25x29
Stack #33	EU2 and EU3	54	48
Stack #34	EU2 and EU3	54	48
Stack #35	EU2 and EU3	54	48
Stack #36	EU2 and EU3	54	48
Stack #37	EU2 and EU3	54	48
Stack #38	EU2 and EU3	54	48

Preauthorized changes to the state-only requirements pertaining to stack parameters (set forth in this permit), shall be permitted only when an air quality impact analysis which meets the criteria of Env-A 606 is performed either by the facility or the DES (if requested by facility in writing) in accordance with the “DES

Policy and Procedure for Air Quality Impact Modeling”. All air modeling data shall be kept on file at the facility for review by the DES upon request.

IV. Insignificant Activities Identification:

All activities at this facility that meet the criteria identified in the New Hampshire Rules Governing the Control of Air Pollution Part Env-A 609.03(g), shall be considered insignificant activities. Emissions from the insignificant activities shall be included in the total facility emissions for the emission-based fee calculation described in Section XXIII of this Permit.

V. Exempt Activities Identification:

All activities identified in the New Hampshire Rules Governing the Control of Air Pollution Env-A 609.03(c) shall be considered exempt activities and shall not be subject to or regulated by this Title V Operating Permit. Emissions from exempt activities shall not be included in the total facility emissions for the emission based fee calculation described in Section XXIII. of this Permit.

VI. Pollution Control Equipment Identification:

The device identified in Table 3 is considered pollution control equipment for each identified activity.

Table 3 - Pollution Control Equipment Identification			
Pollution Control Equipment Number (PCE#)	Description of Equipment	Minimum Efficiency of Equipment	Activity
PCE1	Baghouses and Filter Bags-(2 baghouses total)	Baghouse Filter Efficiency 99.93% (based on max. allowable emissions allowed by Env-A 2103.02 and manufacturer's specifications)	All units and/or equipment generating corn starch and calcium carbonate dust and powder.

All equipment, techniques, facilities and systems installed and used to achieve compliance with the terms and conditions of this Permit shall at all times be maintained in good working order and shall be operated in accordance with the minimum efficiencies stipulated in Table 3 and/or in accordance with manufacturers specifications, whichever is more stringent, so as to minimize air pollutant emissions. Manufacturer's recommended maintenance schedules and specifications shall be kept on file for review by the DES and/or EPA upon request.

VII. Alternative Operating Scenarios:

No alternative operating scenarios were identified for this Permit.

VIII. Applicable Requirements:

VIII. A. State-only Enforceable Operational and Emission Limitations:

The Permittee shall be subject to the state-only operational and emission limitations identified in Table 4 below.

Table 4 - State-only Enforceable Operational and Emission Limitations			
Item #	Regulatory Cite	Applicable Emission Unit	Applicable Requirement
1.	Env-A 1305.01(a)	Facility Wide	New or modified devices, new or modified area sources, and existing devices or area sources for which new applications for permits are filed that have the potential to emit, in any amount, substances that meet the criteria of Env-A1301 shall be subject to Env-A 1300, until such time as the Env-A 1400 requirements supersede the Env-A 1300 requirements. (As outlined below)
2.	Env-A 1305.02	Facility Wide	Air quality impact analysis of devices and area sources emitting substances meeting the criteria of Env-A 1301 shall be performed in accordance with the "DES Policy and Procedure for Air Quality Impact Modeling" or other comparable dispersion modeling methods approved by EPA.
3.	Env-A 1403.01	Facility Wide	In accordance with Env-A 1403.01, new or modified devices or processes installed after May 8, 1998, shall be subject to the requirements of Env-A 1400.
4.	Env-A 1403.02(a)	Facility Wide	In accordance with 1403.02(a), all existing unmodified devices or processes which are in operation during the transition period ending three years from May 8, 1998 (May 8, 2001), shall comply with either Env-A1300 or Env-A 1400.
5.	Env-A 1403.02(b)	Facility Wide	In accordance with Env-A 1403.02(b), all existing devices or processes in operation after the transition period ending three years from May 8, 1998 (May 8, 2001), shall comply with Env-A 1400. Env-A 1300 will no longer be in effect.
6.	Env-A 1404.01(d)	Facility Wide	In accordance with Env-A 1404.01(d), documentation for the demonstration of compliance shall be retained at the site, and shall be made available to the DES for inspection.
7.	Env-A 1405.02	Facility Wide	In accordance with Env-A 1405.02 the owner of an existing device or process requiring a permit under chapter Env-A 1400 shall submit to the DES no later than one year prior to the end of the transition period (May 8, 2000), an application for a modification to a title V permit in accordance with Env-A 609.18, and a request to the DES to perform air dispersion modeling.
8.	Env-A 1405.03	Facility Wide	In accordance with Env-A 1405.03 the owner of an existing device or process requiring a permit under Env-A 1300 shall submit to the DES no later than one year prior to the end of the transition period (May 8, 2000), a compliance plan identifying how the device or process will comply with chapter Env-A 1400 by the end of the transition period. The compliance plan shall contain the dates when the information required in Env-A 1405.02 will be filed with the DES.
9.	Env-A 1406.01	Facility Wide	In accordance with Env-A 1406.01 the owner of any device or process which emits a regulated toxic air pollutant shall determine compliance with the ambient air limits by using one of the methods provided in Env-A 1406.02, Env-A 1406.03, or Env-A 1406.04. Upon request, the owner of any device or process which emits a regulated toxic air pollutant shall provide documentation of compliance with the ambient air limits to the DES.

Table 4 - State-only Enforceable Operational and Emission Limitations

10.	Env-A 1300 and Env-A 1400	Facility Wide	Ammonia emissions facility wide shall be limited to less than or equal to 3.8 lbs/hour averaged over a 24 hour period.
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VIII. B. Federally Enforceable Operational and Emission Limitations

The Permittee shall be subject to the Federally Enforceable operational and emission limitations identified in Table 5 below.

Table 5 - Federally Enforceable Operational and Emission Limitations			
Item #	Regulatory Cite	Applicable Emission Unit	Applicable Requirement
1.	Env-A 2003.02	EU1	Visible Emission Standard for fuel burning devices installed after May 13,1970. No owner or operator shall cause or allow average opacity from fuel burning devices installed after May 13, 1970 in excess of 20 percent for any continuous 6 minute period in a 60 minute period.
2.	Env-A 2003.07(c)(2)	EU1	<p>No owner or operator shall cause or allow emissions of particulate matter from fuel burning devices installed after May 13, 1970 but before January 1, 1985 in excess of the rates set forth below, where:</p> <p>For devices with I (maximum gross heat input rate in 10⁶ BTU/hr) equal to or greater than 10 but less than 250, E (the maximum allowable particulate matter emission rate in lb/10⁶ BTU) shall be calculated by raising I to the -0.234 power, and multiplying the result by 1.028, expressed mathematically in the formula below:</p> $E = 1.028 I^{-0.234}$
3.	40 CFR 68	Facility Wide	<p>Accidental Release Program Requirements. Storage of regulated chemicals at the facility are less than the applicability thresholds presented in 40 CFR 68.130 Table 1 and Table 2. The facility, therefore, is not subject to the program requirements of 40 CFR 68. However, the facility is subject to the Purpose and General Duty clause of the 1990 Clean Air Act, Section 112(r)(1). General Duty includes the following responsibilities:</p> <ol style="list-style-type: none"> 1. Identify potential hazards which may result from such releases using appropriate hazard assessment techniques; 2. Design and maintain a safe facility; 3. Take steps necessary to prevent releases; and 4. Minimize the consequences of accidental releases which do occur.
4.	Env-A 2103.02(c)(1)	Facility Wide	<p><u>Calculation of Particulate Matter Emission Standards.</u></p> <p>Particulate matter emissions from a "New Device" (from a process, manufacturing and service based industry) installed after February 18, 1972 with a process weight rate up to 60,000 pounds per hour, shall not exceed the emission rate averaged over a one hour period as specified in the formula below, where P (the process weight rate in tons per hour) shall be raised to the 0.67 power and multiplied by 4.10:</p> $E = 4.10 P^{0.67}$
5.	Env-A 2107.01(a)	Facility Wide	Unless otherwise specified in Env-A 2100, no person shall cause or allow visible fugitive emissions or visible stack emissions for any process, manufacturing or serviced-based industry subject to this chapter to exceed an average of 20 percent opacity for any continuous 6-minute period in any 60 minute period, except were opacity is specified differently for fuel burning devices in Env-A 2003.

Table 5 - Federally Enforceable Operational and Emission Limitations			
6.	RSA 125-C:6, RSA 125-C:11 and Env-A 606.04.	Facility Wide	<p>National Ambient Air Quality Standards (NAAQS). The facility shall comply with the national ambient air quality standards and the applicable requirements of RSA 125-C:6, RSA 125-C:11 and Env-A 606.04. In order to meet these requirements for sulfur dioxide, the Permittee shall not exceed the following usages:</p> <ul style="list-style-type: none"> a. 7,200 gallons of #6 fuel oil during any consecutive 24 hour period, and; b. 2,420,000 gallons of #6 fuel oil during any consecutive 12 month period
7.	Env-A 404.01	EU1	<p>Pursuant to RSA 125-D:3,I(e) annual sulfur dioxide emissions from each Class B major source, except as provided by Env-A 405.02, shall have an average emission rate not to exceed 1.6 pounds of sulfur dioxide per million BTU input, equivalent to no. 6 oil with 1.5 percent sulfur by weight, which is 75 percent of the baseline average emission rate for Class B major sources. Recordkeeping and tracking of individual fuel deliveries shall be conducted in accordance with Section VIII. E. of this Permit.</p>

VIII. C. Emission Reductions Trading Requirements

The Permittee did not request emissions reduction trading in its operating permit application. At this point, DES has not included any permit terms authorizing emissions trading in this permit. All emission reductions trading, must be authorized under the applicable requirements of either Env-A 3000 (the “Emissions Reductions Credits (or ERCs) Trading Program”) or Env-A-3100 (the “Discrete Emissions Reductions (or DEC)s Trading Program) and 42 U.S.C. §7401 et seq. (The “Act”), and must be provided for in this permit.

VIII. D. Monitoring and Testing Requirements

The Permittee is subject to the monitoring and testing requirements as contained in Table 6, below:

Table 6 - Monitoring/Testing Requirements					
Item #	Device	Parameter	Method of Compliance	Frequency of Method	Regulatory Cite
1.	Facility Stacks and EU1	Allows for adequate dispersion of HAPs and other regulated pollutants	Conduct an annual inspection of each stack and emission unit. Inspections shall be focused on identifying any holes, leaks, deposits, deficiencies or deterioration of equipment and stacks. Records of inspections and subsequent maintenance conducted as a result of the annual inspections shall be kept on file at the Facility for review by the DES and/or EPA upon request.	Annually	Env-A 806.01(4) and 40 CFR 70.6(a)(3) Federally Enforceable
2.	Bag house units and filter bags (PCE#1)	Total suspended particulate	Perform weekly observations of opacity in accordance with Method 22, 40 CFR Part 60, Appendix A. Record observations in a bound logbook weekly. Conduct preventative maintenance necessary to ensure the operation of each unit in a manner consistent with manufacturer's recommendations. Manufacturer's recommendations regarding unit operation shall be kept on file at the facility and made available to the DES and/or EPA upon request.	Weekly	Env-A 806.01(4) and 40 CFR Part 70.6(a)(3) Federally Enforceable
3.	Bag house units and filter bags (PCE#1)	Total suspended particulate	Conduct an annual inspection of each unit consistent with manufacturers recommended procedures. The inspection shall be conducted by plant personnel familiar with the operation of the device and equipment. Records of inspections and subsequent maintenance conducted shall be kept on file at the facility for review by the DES and/or EPA upon request.	Annually	Env-A 806.01(4) and 40 CFR Part 70.6(a)(3) Federally Enforceable
4.	EU1	Sulfur content in liquid fuels	The operator shall conduct testing in accordance with appropriate ASTM test methods to determine compliance with the sulfur content limitation provisions in Env-A 1604.01(a) and 1604.01(c)2 for liquid fuels in order to meet the record keeping requirements as specified in Section VIII F. Table 7, Item 5 of this Permit. Delivery tickets which contain certified information with regards to the percent sulfur by weight of the fuel oil being delivered may be used as an alternative to determine compliance with the sulfur content limitation provisions in Env-A 1604.01(a) and 1604.01(c)2 for liquid fuels.	For each delivery of fuel oil to the facility	Env-A 809.01

Table 6 - Monitoring/Testing Requirements

5.	EU1	Boiler efficiency	<p>Annually, before April 1st of each year the Permittee shall:</p> <ul style="list-style-type: none"> a. Perform an efficiency test using the test procedures specified in ASME/ANSI Boiler Test Code 4.1; and b. Adjust the combustion process of the boiler in accordance with the procedures specified in chapter 5, Combustion Efficiency Tables, Taplin, Harry R., Fairmont Press, 1991; and c. Maintain, in a permanently bound log book the following information: <ul style="list-style-type: none"> i. The date(s) on which the efficiency test was conducted; and when the combustion process was last adjusted; ii. The name(s), title and affiliation of the person(s) who conducted the efficiency test and what adjustments were made, the corresponding NO_x and CO emission concentrations, in ppmvd, corrected to 15% oxygen and opacity readings after the adjustments are made. 	Annual	Env-A 1211.05(b)
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VIII. E. Record keeping Requirements:

The Permittee shall be subject to the record keeping requirements identified in Table 7 below.

Table 7 - Applicable Record Keeping Requirements				
Item #	Recordkeeping Requirement	Frequency of Recordkeeping	Applicable Emission Unit	Regulatory Cite Federally Enforceable or State-Only Enforceable
1.	The Permittee shall retain records of all required monitoring data, recordkeeping and reporting requirements and support information for a period of at least 5 years from the date of origination.	Retain for a minimum of 5 years	Facility wide	40 CFR 70.6(a)(3)(ii)(B) Federally Enforceable
2.	<p>The Permittee shall maintain records of monitoring requirements as specified in Table 6 of this Permit including:</p> <ul style="list-style-type: none"> (a) Preventative maintenance and inspection results for stacks and emission units. (b) Documentation of weekly observations of opacity in accordance with Method 22, 40 CFR Part 60, Appendix A for baghouse units (PCE#1) . (c) Summary of preventative maintenance and inspection results for baghouse units (PCE#1). (d) Summary of testing and/or delivery ticket certifications for sulfur content limitation provisions. (e) Summary of efficiency test results performed on each boiler by the Permittee using the test procedures specified in ASME/ANSI Boiler Test Code 4.1. 	Maintain on a continuous basis as specified in Table 5 of this Permit	Facility wide	40 CFR 70.6(a)(3)(iii)(A) Federally Enforceable
3.	The Permittee shall record monthly fuel usage information including the quantity of fuel used on a daily basis, the calculated MMBTU/Year, fuel type, and sulfur content. If more than one type of fuel is used, data on each fuel shall be recorded separately.	Maintain on a continuous basis	EU1	Env-A 901.03 Federally Enforceable

Table 7 - Applicable Record Keeping Requirements

4.	<p>NO_x Record keeping Requirements: For fuel burning devices, including boilers, turbines, and internal combustion engines, the following information shall be recorded and maintained:</p> <p>(A) Facility information, including:</p> <ol style="list-style-type: none"> 1. Source name; 2. Source identification; 3. Physical address; 4. Mailing address; and 5. A copy of the certificate of accuracy required to be maintained pursuant to Env-A 901.04(c). <p>(B) Identification of fuel burning device;</p> <p>(C) Operating schedule information for each fuel burning device identified in (B), above, including:</p> <ol style="list-style-type: none"> 1. Days per calendar week during the normal operating schedule; 2. Hours per day during the normal operating schedule and for a typical ozone season day, if different from the normal operating schedule; and 3. Hours per year during the normal operating schedule; <p>(D) Type, and amount of fuel burned, for each fuel burning device, during normal operating conditions and for a typical ozone season day, if different from normal operating conditions, on an hourly basis in million Btu's per hour and;</p> <p>(E) The following NO_x emission data, including records of total annual emissions, in tons per year, and typical ozone season day emissions, in pounds per day:</p> <ol style="list-style-type: none"> 1. Theoretical potential emissions for the calculation year for each fuel burning device; and 2. Actual NO_x emissions for each fuel burning device. 	On a continuous basis.	Facility wide	Env-A 901.08 Federally Enforceable
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Table 7 - Applicable Record Keeping Requirements

5.	Delivery tickets from each fuel oil supplier for each shipment of fuel oil received shall be kept on file in a form suitable for inspection and shall be made available to the DES and/or EPA upon request. Each delivery ticket shall indicate the name, address and telephone number of the fuel oil supplier, the quantity of fuel oil delivered, and the percent sulfur by weight of the fuel oil being delivered. If delivery tickets do not contain sulfur content of fuel being delivered, the Permittee shall perform testing in accordance with appropriate ASTM test methods to determine compliance with the sulfur content limitation provisions in Env-A 1604.01(a) and 1604.01(c)2 for liquid fuels.	Maintain on a continuous basis	Facility wide	40 CFR 70.6(a)(3) Federally Enforceable
6.	Annual records of actual emissions for each significant and insignificant activity for determination of emission based fees.	Maintain at facility at all times.	Significant and insignificant activities	Env-A 901.04 Federally Enforceable
7.	Records of Ammonia emissions shall be kept at the facility for review by DES or EPA upon request to demonstrate compliance with Env-A 1300 and Env-A 1400.	Maintain at facility on a continuous basis.	Facility wide	Env-A 1300 and Env-A 1400 State-only

VIII. F. Reporting Requirements:

The Permittee shall be subject to the reporting requirements identified in Table 8 below.

Table 8 - Applicable Reporting Requirements

Item #	Reporting Requirement	Frequency of Reporting	Applicable Emission Unit	Regulatory Cite Federally Enforceable or State-Only Enforceable
1.	<p>The Permittee shall submit a summary report of monitoring data as specified in Table 6 of this permit including:</p> <ul style="list-style-type: none"> (a) Preventative maintenance and inspection results for stacks and emission units. (b) Summary of weekly observations of opacity in accordance with Method 22, 40 CFR Part 60, Appendix A for baghouse units (PCE#1). Summary of preventative maintenance and inspection results for baghouse units (PCE#1). (c) Summary of testing and/or delivery ticket certifications for sulfur content limitation provisions. (d) Summary of efficiency test results performed on each boiler by the Permittee using the test procedures specified in ASME/ANSI Boiler Test Code 4.1. 	Every 6 months by July 31st and January 31st of each calendar year.	Facility wide	40 CFR 70.6(a)(3)(iii) (A) Federally Enforceable

Table 8 - Applicable Reporting Requirements

2.	Prompt reporting of deviations from Permit requirements shall be conducted in accordance with Section XXVIII of this Permit.	Prompt reporting (ie; within 8 hours of an occurrence).	Facility wide	Env-A 902.02 & 40 CFR 70.6(a)(3)(iii) (B) Federally Enforceable
3.	NO _x Reporting Requirements: For fuel burning devices, including boilers, turbines and engines, as well as miscellaneous sources, the owner or operator shall submit to the director, annually (no later than April 15th of the following year), reports of the data required by Condition VIII.E., Table 7, Item 4., including total annual quantities of all NO _x emissions.	Annually (no later than April 15th of the following year)	Facility Wide	Env-A 901.09 Federally Enforceable
4.	The Permittee shall report monthly fuel usage information including the quantity of fuel used on a daily basis, the calculated MMBTU/Year, fuel type, and sulfur content. If more than one type of fuel is used, data on each fuel shall be reported separately. This fuel usage data shall be submitted to the DES quarterly, on a per device basis, and due 30 days from the end of the calendar quarter. The fuel usage reports shall include per quarter data from the previous 3 quarters in addition to the data requested for the current reporting quarter. This data shall be totaled on a 12-month rolling basis.	Quarterly, due 30 days from the end of the calendar quarter	EU1	Env-A 901.08(c)(4) Federally Enforceable
5.	Any report submitted to the DES and/or EPA shall include the certification of accuracy statement as outlined in Section XXI.B. of this Permit and shall be signed by the responsible official.	As specified	Facility wide	40 CFR 70.6(c)(1) Federally Enforceable
6.	Annual reporting and payment of emission based fees for pollutants, including, but not limited to SO ₂ , NO _x , CO, TSP, VOCs and New Hampshire Air Toxic (NHAT) Ammonia emissions shall be conducted in accordance with Section XXIII of this Permit	Annually (no later than April 15th of the following year)	Facility wide	Env-A 704.03 Federally Enforceable
7.	Annual compliance certification shall be submitted in accordance Section XXI of this Permit.	Annually (no later than April 15th of the following year)	Facility wide	40 CFR 70.6(c)(1) Federally Enforceable

IX. Requirements Currently Not Applicable:

The Permittee did not identify any requirements not currently applicable to the facility.

General Title V Operating Permit Conditions**X. Issuance of a Title V Operating Permit:**

- A. This Permit is issued in accordance with the provisions of Part Env-A 609. In accordance with 40 CFR 70.6(a)(2) this Permit shall expire on the date specified on the cover page of this Permit, which shall not be later than the date five (5) years after issuance of this Permit.

Permit expiration terminates the Permittee's right to operate the Permittee's emission units, control equipment or associated equipment covered by this permit, unless a timely and complete renewal application is submitted at least 6 months before the expiration date.

- B. Pursuant to Env-A 609.02(b), this Permit shall be a state permit to operate as defined in RSA 125-C:11, III.

XI. Title V Operating Permit Renewal Procedures:

Pursuant to Env-A 609.06(b), an application for renewal of this Permit shall be considered timely if it is submitted to the Director at least six months prior to the designated expiration date of this Permit.

XII. Application Shield:

Pursuant to Env-A 609.07, if an applicant submits a timely and complete application for the issuance or renewal of a Permit, the failure to have a Permit shall not be considered a violation of this part until the Director takes final action on the application.

XIII. Permit Shield:

- A. Pursuant to Env-A 609.08(a), a permit shield shall provide that:
1. For any applicable requirement or any state requirement found in the New Hampshire Rules Governing the Control of Air Pollution specifically included in this Permit, compliance with the conditions of this Permit shall be deemed compliance with said applicable requirement or said state requirement as of the date of permit issuance; and
 2. For any potential applicable requirement or any potential state requirement found in the New Hampshire Rules Governing the Control of Air Pollution specifically identified in this Title V Operating Permit Section IX Table 8 as not applicable to the stationary source or area source, the Permittee need not comply with the specifically identified federal or state requirements.
- B. The permit shield identified in Section XIII.A. of this Permit shall apply only to those conditions incorporated into this Permit in accordance with the provisions of Env-A 609.08(b). It shall not apply to certain conditions as specified in Env-A 609.08(c) that may be incorporated into this Permit

following permit issuance by DES.

- C. If a Title V Operating Permit and amendments there to issued by the DES does not expressly include or exclude an applicable requirement or a state requirement found in the NH Rules Governing the Control of Air Pollution, that applicable requirement or state requirement shall not be covered by the permit shield and the Permittee shall comply with the provisions of said requirement to the extent that it applies to the Permittee.
- D. If the DES determines that this Title V Operating Permit was issued based upon inaccurate or incomplete information provided by the applicant or Permittee, any permit shield provisions in said Title V Operating Permit shall be void as to the portions of said Title V Operating Permit which are affected, directly or indirectly, by the inaccurate or incomplete information.
- E. Pursuant to Env-A 609.08(f), nothing contained in Section XIII of this Permit shall alter or affect the ability of the DES to reopen this Permit for cause in accordance with Env-A 609.18 or to exercise its summary abatement authority.
- F. Pursuant to Env-A 609.08(g), nothing contained in this section or in any title V operating permit issued by the DES shall alter or affect the following:
 - 1. The ability of the DES to order abatement requiring immediate compliance with applicable requirements upon finding that there is an imminent and substantial endangerment to public health, welfare, or the environment;
 - 2. The state of New Hampshire's ability to bring an enforcement action pursuant to RSA 125-C:15,II;
 - 3. The provisions of section 303 of the Act regarding emergency orders including the authority of the EPA Administrator under that section;
 - 4. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
 - 5. The applicable requirements of the acid rain program, consistent with section 408(a) of the Act;
 - 6. The ability of the DES or the EPA Administrator to obtain information about a stationary source, area source, or device from the owner or operator pursuant to section 114 of the Act; or
 - 7. The ability of the DES or the EPA Administrator to enter, inspect, and/or monitor a stationary source, area source, or device.

XIV. Reopening for Cause:

The Director shall reopen and revise a Title V Operating Permit for cause if any of the circumstances contained in Env-A 609.18(a) exist. In all proceedings to reopen and reissue a Title V Operating Permit, the Director shall follow the provisions specified in Env-A 609.18(b) through (g).

XV. Administrative Permit Amendments:

- A. Pursuant to Env-A 612.01, the Permittee may implement the changes addressed in the request for an administrative permit amendment as defined in Part Env-A 100 immediately upon submittal of the request.
- B. Pursuant to Env-A 612.01, the Director shall take final action on a request for an administrative permit amendment in accordance with the provisions of Env-A 612.01(b) and (c).

XVI. Operational Flexibility:

- A. Pursuant to Env-A 612.02(a), the Permittee subject to and operating under this Title V Operating Permit may make changes involving trading of emissions under this existing Title V Operating Permit at the permitted stationary source or area source without filing a Title V Operating Permit application for and obtaining an amended Title V Operating Permit, provided that all the conditions are met as specified in section XVI. A. 1. through 7. of this permit and a notice is submitted to the DES and EPA describing the intended changes. At this point, DES has not included any permit terms authorizing emissions trading in this permit.
 - 1. The change is not a modification under any provision of title I of the Act;
 - 2. The change does not cause emissions to exceed the emissions allowable under the title V operating permit, whether expressed therein as a rate of emissions or in terms of total emissions;
 - 3. The owner or operator has obtained any temporary permit required by Env-A 600;
 - 4. The owner or operator has provided written notification to the director and administrator at least 15 days prior to the proposed change and such written notification includes:
 - a. The date on which each proposed change will occur;
 - b. A description of each such change;
 - c. Any change in emissions that will result and how this change in emissions will comply with the terms and conditions of the permit;
 - d. A written request that the operational flexibility procedures be used; and
 - e. The signature of the responsible official, consistent with Env-A 605.04(b);
 - 5. The Title V Operating Permit issued to the stationary source or area source already contains terms and conditions including all terms and conditions which determine compliance required under 40 CFR 70.6(a) and (c) and which allow for the trading of emissions increases and decreases at the permitted stationary source or area source solely for the purpose of complying with a federally-enforceable emissions cap that is established in the permit independent of otherwise applicable requirements;

6. The owner or operator has included in the application for the Title V Operating Permit proposed replicable procedures and proposed permit terms which ensure that the emissions trades are quantifiable and federally enforceable for changes to the Title V Operating Permit which qualify under a federally- enforceable emissions cap that is established in the Title V Operating Permit independent of the otherwise applicable requirements; and

7. The proposed change complies with Env-A 612.02 (e).

- B. Pursuant to Env-A 612.02(c), the Permittee subject to and operating under this Title V Operating Permit may make changes not addressed or prohibited by this existing Title V Operating Permit at the permitted stationary source or area source without filing a Title V Operating Permit application, provided that all the conditions specified in Env-A 612.02(c)(1) through (6) are met and a notice is submitted to the DES and EPA describing the intended changes.
- C. Pursuant to Env-A 612.02(d), the Permittee, Operator, Director and Administrator shall attach each notice of an off-permit change completed in accordance with Section XVI of this Title V Operating Permit to their copy of the current Title V Operating Permit.
- D. Pursuant to Env-A 612.02(e), any change under Section XVI shall not exceed any emissions limitations established under the NH Rules Governing the Control of Air Pollution, or result in an increase in emissions, or result in new emissions, of any toxic air pollutant or hazardous air pollutant other than those listed in the existing Permit.
- E. Pursuant to Env-A 612.02(f), the off-permit change shall not qualify for the permit shield under Env-A 609.08.

XVII. Minor Permit Amendments:

- A. Pursuant to Env-A 612.04 prior to implementing a minor permit modification, the Permittee shall submit a written request to the Director in accordance with the requirements of Env-A 612.04(b).
- B. The Director shall take final action on the minor permit amendment request in accordance with the provisions of Env-A 612.04(c) through (g).
- C. Pursuant to Env-A 612.04(g), the permit shield specified in Env-A 609.08 shall not apply to minor permit amendments under Section XVII. of this Permit.
- D. Pursuant to Env-A 612.04(i), the Permittee shall be subject to the provisions of Part Env-A 614 and Part Env-A 615 if the change is made prior to the filing with the Director a request for a minor permit amendment.

XVIII. Significant Permit Amendments:

- A. Pursuant to Env-A 612.05, a change at the facility shall qualify as a significant permit amendment if it meets the criteria specified in Env-A 612.05(a)(1) through (7).
- B. Prior to implementing the significant permit amendment, the Permittee shall submit a written request to the Director which includes all the information as referenced in Env-A 612.05(b) and (c) and shall

be issued an amended Title V Operating Permit from the DES. The Permittee shall be subject to the provisions of Env-A 614 and Env-A 615 if a request for a significant permit amendment is not filed with the Director and/or the change is made prior to the issuance of an amended Title V Operating Permit.

- C. The Director shall take final action on the significant permit amendment in accordance with the procedures specified in Env-A 612.05(d), (e) and (f).

XIX. Title V Operating Permit Suspension, Revocation or Nullification:

- A. Pursuant to RSA 125-C:13, the Director may suspend or revoke any final permit issued hereunder if, following a hearing, the Director determines that:
 - 1. the Permittee has committed a violation of any applicable statute or state requirement found in the New Hampshire Rules Governing the Control of Air Pollution, order or permit condition in force and applicable to it; or
 - 2. that the emissions from any device to which this Permit applies, alone or in conjunction with other sources of the same pollutants, presents an immediate danger to the public health.
- B. The Director shall nullify any Permit, if following a hearing in accordance with RSA 541-A:30, II, a finding is made that the Permit was issued in whole or in part based upon any information proven to be intentionally false or misleading.

XX. Inspection and Entry:

Pursuant to Env-A 614.01, EPA and DES personnel shall be granted access to the facility covered by this Permit, in accordance with RSA 125-C:6,VII for the purposes of: inspecting the proposed or permitted site; investigating a complaint; and assuring compliance with any applicable requirement or state requirement found in the NH Rules Governing the Control of Air Pollution and/or conditions of any Permit issued pursuant to Chapter Env-A 600.

XXI. Certifications:

- A. Compliance Certification Report

In accordance with 40 CFR 70.6(c) the Responsible Official shall certify, annually from the date of issuance, that the facility is in compliance with the requirements of this permit. The report shall be submitted to the DES and to the Regional Administrator, U.S. Environmental Protection Agency - New England Region. The report shall be submitted in compliance with the submission requirements below.

In accordance with 40 CFR 70.6(c)(5), the report shall describe:

- 1. The terms and conditions of the Permit that are the basis of the certification;
- 2. The current compliance status of the source with respect to the terms and conditions of this Permit, and whether compliance was continuous or intermittent during the reporting period;

3. The methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
4. Any additional information required by the DES to determine the compliance status of the source.

B. Certification of Accuracy Statement

All documents submitted to the DES shall contain a certification of accuracy statement by the responsible official of truth, accuracy, and completeness. Such certification shall be in accordance with the requirements of 40 CFR 70.5(d) and contain the following language:

"I am authorized to make this submission on behalf of the facility for which the submission is made. Based on information and belief formed after reasonable inquiry, I certify that the statements and information in the enclosed documents are to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

All reports submitted to DES (except those submitted as emission based fees as outlined in Section XXIII of this Permit) shall be submitted to the following address;

New Hampshire Department of Environmental Services
Air Resources Division
64 North Main Street
P.O. Box 2033
Concord, NH 03302-2033
ATTN: Sonny Strickland, Engineering Bureau

XXII. Enforcement:

Any noncompliance with a permit condition constitutes a violation of RSA 125-C:15, and, as to the conditions in this permit which are federally enforceable, a violation of the Clean Air Act, 42 U.S.C. Section 7401 et seq., and is grounds for enforcement action, for permit termination or revocation, or for denial of an operating permit renewal application by the DES and/or EPA. Noncompliance may also be grounds for assessment of administrative, civil or criminal penalties in accordance with RSA 125-C:15 and/or the Clean Air Act. This Permit does not relieve the Permittee from the obligation to comply with any other provisions of RSA 125-C, the New Hampshire Rules Governing the Control of Air Pollution, or the Clean Air Act, or to obtain any other necessary authorizations from other governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this Permit.

In accordance with 40 CFR 70.6 (a)(6)(ii) a Permittee shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.

XXIII. Emission-Based Fee Requirements:

- A.** The Permittee shall pay an emission-based fee annually for this facility as calculated each calendar year pursuant to Env-A 704.03.
- B.** The Permittee shall determine the total actual annual emissions from the facility to be included in the emission-based multiplier specified in Env-A 704.03(a) for each calendar year in accordance with the methods specified in Env-A 620.
- C.** The Permittee shall calculate the annual emission-based fee for each calendar year in accordance with the procedures specified in Env-A 704.03 and the following equation:

$$FEE = E (DPT (CPI_m (ISF$$

Where:

FEE = The annual emission-based fee for each calendar year as specified in Env-A 704.
 E = The emission-based multiplier is based on the calculation of total annual emissions as specified in Env-A 704.02 and the provisions specified in Env-A 704.03(a).
 DPT = The dollar per ton fee the DES has specified in Env-A 704.03(b).
 CPI_m= The Consumer Price Index Multiplier as calculated in Env-A 704.03(c).
 ISF = The Inventory Stabilization Factor as specified in Env-A 704.03(d).

- D.** The Permittee shall contact the DES each calendar year for the value of the Inventory Stabilization Factor.
- E.** The Permittee shall contact the DES each calendar year for the value of the Consumer Price Index Multiplier.
- F.** The Permittee shall submit, to the DES, payment of the emission-based fee and a summary of the calculations referenced in Sections XXIII.B. and C of this Permit for each calendar year by October 15th of the following calendar year in accordance with Env-A 704.04. The emission-based fee and summary of the calculations shall be submitted to the following address:

New Hampshire Department of Environmental Services
 Air Resources Division
 64 North Main Street
 P.O. Box 2033
 Concord, NH 03302-2033
 ATTN.: Emissions Inventory

- G.** The DES shall notify the Permittee of any under payments or over payments of the annual emission-based fee in accordance with Env-A 704.05.

XXIV. Duty To Provide Information

In accordance with 40 CFR 70.6 (a)(6)(v), upon the DES's written request, the Permittee shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the Permit, or to determine compliance with the Permit. Upon request, the Permittee shall furnish to the DES copies of records that the Permittee is required to retain by this Permit. The Permittee may make a claim of confidentiality as to any information submitted pursuant to this condition in accordance with Part Env-A 103 at the time such information is submitted to DES. DES shall evaluate such requests in accordance with the provisions of Part Env-A 103.

XXV. Property Rights

Pursuant to 40 CFR 70.6 (a)(6)(iv), this Permit does not convey any property rights of any sort, or any exclusive privilege.

XXVI. Severability Clause

Pursuant to 40 CFR 70.6 (a)(5), the provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstances is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

XXVII. Emergency Conditions

Pursuant to 40 CFR 70.6 (g), the Permittee shall be shielded from enforcement action brought for noncompliance with technology based³ emission limitations specified in this Permit as a result of an emergency⁴. In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

- A. An emergency occurred and that the Permittee can identify the cause(s) of the emergency;
- B. The permitted facility was at the time being properly operated;
- C. During the period of the emergency, the Permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other requirements in this Permit; and

³ Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

⁴ An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.

- D.** The Permittee submitted notice of the emergency to the DES within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

XXVIII. Permit Deviation

In accordance with 40 CFR 70.6(a)(3)(iii)(B), the Permittee shall report to the DES all instances of deviations from Permit requirements, by telephone or fax, within 8 hours of discovery of such deviation pursuant to Env-A 902.02. This report shall include the deviation itself, including those attributable to upset conditions as defined in the Permit, the probable cause of such deviations, and any corrective actions or preventative measures taken. Said Permit deviation shall also be submitted in writing to the DES within fifteen (15) days of documentation of the deviation by facility personnel. Deviations are instances where any Permit condition is violated and has not already been reported as an emergency pursuant to Section XXVII of this Permit.

Reporting a Permit deviation is not an affirmative defense for action brought for noncompliance.